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2. Criminal Law (§ 1172 (1)*)—Harmless Error in Instructions.—

Where the appellate court can see from the entire record that no other verdict could rightly have been found under correct instructions, or that the accused could not have been prejudiced by erroneous rulings of the trial court, it will not reverse the judgment and set aside the verdict.

[Ed. Note.—For other cases, see 1 Va.-W. Va. Enc. Dig. 601.]

Error to Corporation Court of Roanoke.

One Pickard was convicted for practicing medicine without having obtained a certificate from the State Board of Medical Examiners, and he brings error. Affirmed.

Willis, Adams & Penn and *A. B. Coleman*, all of Roanoke, for plaintiff in error.

Ino. R. Saunders, Atty. Gen., J. D. Hank, Jr., Asst. Atty. Gen., and *F. B. Richardson*, of Richmond, for the Commonwealth.

JOHNSON v. JOHNSON.

Sept. 17, 1919.

[100 S. E. 822.]

1. Divorce (§ 133 (1)*)—Evidence of Desertion.—In a husband's suit for divorce, evidence held to prove the charge of desertion against the wife.

[Ed. Note.—For other cases, see 4 Va.-W. Va. Enc. Dig. 738.]

2. Divorce (§ 129 (16)*)—Evidence of Adultery.—In a husband's suit for divorce, evidence held insufficient to prove the charge of adultery against the wife.

[Ed. Note.—For other cases, see 4 Va.-W. Va. Enc. Dig. 736.]

Appeal from Circuit Court, Russell County.

Suit for divorce by Aaron S. Johnson against his wife. From an adverse decree, the wife appeals; both parties assigning error. Affirmed.

W. W. Bird and *A. G. Lively*, both of Lebanon, *G. B. Johnson*, of Honaker and *C. C. Burns*, of Lebanon, for appellant.

Finney & Watson, of Lebanon, for appellee.

*For other cases see same topic and KEY-NUMBER in all Key-Numbered Digests and Indexes.